

IV. REMARKS

Claims 1-11 are pending in this application. By this amendment, claims 1 and 11 have been amended. Claims 12-19 have been added. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claim 1 is rejected under 35 U.S.C. §112 as allegedly being indefinite. Claims 1, 3 and 4 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kraslavsky (U.S. Patent No. 5,699,350), hereafter "Kraslavsky" in view of Rune (U.S. Patent No. 6,304,913), hereafter "Rune." Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kraslavsky in view of Rune and further in view of Ogus (U.S. Patent No. 6,587,875), hereafter "Ogus." Claim 2 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kraslavsky in view of Rune and Ogus and further in view of Spence *et al.* (U.S. Patent No. 6,185,600), hereafter Spence. Claims 7-11 are rejected for similar reasons to claims 1-6.

A. REJECTION OF CLAIM 1 UNDER 35 U.S.C. §112

The Office has asserted that claim 1 is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses the rejection. Applicant has amended claims 1 and 11 to replace "pre-determined" with "pre-

defined.” Applicant asserts that this amendment further clarifies the invention. Accordingly, Applicant requests that the objection be withdrawn.

B. REJECTION OF CLAIMS 1-11 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejection over Kraslavsky in view of Rune, Orgus and Spence, Applicant asserts that the cited references do not teach each and every feature of the claimed invention. Specifically, with respect to independent claims 1 and 11 and dependent claim 13, Applicant submits that, contrary to the arguments of the Office, Kraslavsky fails to teach or suggest a table for storing a plurality of IPX/SPX network segment addresses and the number of hops each segment is from the computer accessing said table. The Office erroneously attempts to equate this feature with the table of entry points into various service routines provided by the LSL in Kraslavsky. However, the invention in Kraslavsky deals with dynamically reconfiguring frame type assignments and protocol stacks for a network device from a remote device. Col. 2, lines 35-48. The Kraslavsky invention is described, in particular, for use with a network interface board for connecting a digital copier and a LAN. Col. 5, lines 56-60. In order to accomplish its goal, Kraslavsky uses a Multi-Link Interface Driver (MLID), which “...is the lowest level of network connection software and handles sending and receiving of packets to and from the network. Col. 8, lines 33-36; FIG. 9(a). Kraslavsky also has a number of protocol stacks that receive packets for the respective protocols, determine what needs to be done with the packets and send the packets to the necessary destination. Col. 9, lines 36-40. The LSL that the Office refers to is a Link Support Layer that comprises software code that acts as a multiplexer between the lowest level MLID and network protocol stacks. Accordingly, the table

of entry points into the various service routines in the LSL referred to by the Office simply allows the protocol stack to communicate with the MLID and does not store a plurality of IPX/SPX network segment addresses and the number of hops each segment is from the computer accessing said table. In contrast, the present invention includes "...a table for storing a plurality of IPX/SPX network segment addresses and the number of hops each segment is from the computer accessing said table." Claim 1. As such, the table as included in the claimed invention does not merely store entry points to access routines for communicating between a protocol stack and MLID as does the table in Kraslavsky, but instead stores a plurality of IPX/SPX network segment addresses and the number of hops each segment is from the computer accessing said table. Thus, the table of entry points to access routines in Kraslavsky is not equivalent to the table as included in the claimed invention. The other cited references do not cure this deficiency. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With further respect to independent claims 1, 11 and 12, Applicant respectfully submits that, contrary to the arguments of the Office, Kraslavsky also fails to teach or suggest IPX/SPX Routing Information Protocol (RIP) request packet sending means adapted to transmit an RIP request packet across an IPX/SPX network. As stated above, the Kraslavsky system includes an MLID for communicating with the network, protocol stacks for processing protocol packets, and an LSL for multiplexing between the two. Kraslavsky also includes a prescanning program opposite the LSL from the MLID that is responsible for identifying which frame types are associated with the various protocols. Col. 13, lines 8-12. Both the prescanning program and newly-loaded protocol stacks in Kraslavsky register with the LDL to inform the LDL which frame types the LDL should provide. Col. 13, lines 1-27; col. 14, lines 37-47. However, these

registrations are with the software multiplexing LDL and do not transmit an RIP request packet across an IPX/SPX network. The prescanning program and newly-loaded protocol stacks in Kraslavsky never communicate with the network, only with the LDL. Only the MLID in Kraslavsky communicates with the network, and Kraslavsky never discloses that it transmits an RIP request packet across an IPX/SPX network. The present invention, in contrast, includes "...IPX/SPX Routing Information Protocol (RIP) request packet sending means adapted to transmit an RIP request packet across an IPX/SPX network." Claim 1. As such, in the claimed invention, the IPX/SPX Routing Information (RIP) request packet sending means is adapted to transmit an RIP request packet across an IPX/SPX network, not merely to register with an intermediate software multiplexer as do the prescanning program and newly-loaded protocol stacks in Kraslavsky. For the above reasons, the registration of Kraslavsky is not equivalent to the transmission of an RIP request packet across an IPX/SPX network as included in the claimed invention. The other cited references do not cure this deficiency. Accordingly, Applicant requests that the rejection be withdrawn.

With still further respect to independent claims 1, 11 and 12, Applicant respectfully submits that, contrary to the arguments of the Office, Kraslavsky also fails to teach or suggest IPX/SPX Routing Information Protocol (RIP) response packet receiving means adapted to receive RIP response packets in response to the RIP request packet. Instead the Kraslavsky system monitors the network, which may be using a variety of protocols, for a request for network services. Col 11, lines 11-48. However, Kraslavsky never teaches or suggests receiving an RIP response packet in response to an RIP request packet. In contrast, the claimed invention includes "...IPX/SPX Routing Information Protocol (RIP) response packet receiving means

adapted to receive RIP response packets in response to the RIP request packet.” Claim 1. As such, the IPX/SPX Routing Information Protocol response packet as included in the claimed invention does not merely monitor a network as does the Kraslavsky system, but instead is adapted to receive RIP response packets in response to the RIP request packet. For the above reasons, the network monitoring of Kraslavsky is not equivalent to the receiving of RIP response packets in response to the RIP request packet as included in the claimed invention. The other cited references do not cure this deficiency. Accordingly, Applicant requests that the rejection be withdrawn.

With yet still further respect to independent claims 1, 11 and 12, Applicant respectfully submits that, contrary to the arguments of the Office, Kraslavsky also fails to teach or suggest IPX/SPX broadcast means responsive to an application request to transmit an application defined packet to network segments. Instead, Kraslavsky teaches that its LSL provides a received frame to its pre-scanning program. Col 13, lines 51-57. However, as stated above, the LSL is simply a software interface, and is not a network segment. Col. 9, lines 16-18. Kraslavsky never teaches or suggests transmitting an application defined packet to network segments. In contrast, the claimed invention includes “...IPX/SPX broadcast means responsive to an application request to transmit an application defined packet to network segments.” Claim 1. As such, the IPX/SPX broadcast means as included in the claimed invention does not merely form an interface to provide a received frame to the pre-scanning program as does the LSL in Kraslavsky, but rather transmits an application defined packet to network segments. For the above reasons, the LSL of Kraslavsky is not equivalent to the IPX/SPX broadcast means as included in the claimed

invention. The other cited references do not cure this deficiency. Accordingly, Applicant requests that the rejection be withdrawn.

With further regard to the 35 U.S.C. §103(a) rejection over Kraslavsky in view of Rune, Applicant asserts that there is no motivation to combine the references. Kraslavsky teaches a method of recognizing low level frames depending on the current configuration of the proposed network card. In contrast, Rune covers a method to store in a table the addresses of homologous servers and to provide to the requesting client one of the servers that is selected using a "shorter distance" concept in a TCP/IP network. Even leveraging Kraslavsky and Rune, an artisan of ordinary skill is forced to write ad hoc logic in this multiprotocol application to handle the handshake phase between client and server (or peer to peer) when running on a TCP/IP or IPX/SPX network. In addition, all of the description in the cited references is focused on low level multiprotocol logic. Accordingly, Applicant requests that the rejection be withdrawn.

With further respect to independent claim 12, Applicant respectfully submits that the cited art fails to teach or suggest a responses filter for filtering the responses to remove responses in which the response number of hops is greater than the specified number of hops to produce a set of network numbers. Accordingly, Applicants respectfully submit that this claim is in condition for allowance.

With further respect to independent claim 11 and with regard to dependent claims 7-10, Applicant asserts that the Office's factual assertion that the claims do not teach or define any significantly new limitation above and beyond claims 1-6 to warrant particular treatment is incorrect. Claims 7-11 include features not specified in claims 1-6. For example, Applicant asserts that a computer that is a multi-platform router also adapted to communicate using a

TCP/IP protocol is a new limitation. Furthermore, a computer that is a server is also a new limitation. Accordingly, Applicant respectfully requests that the Office support its allegation with references that show these limitations.

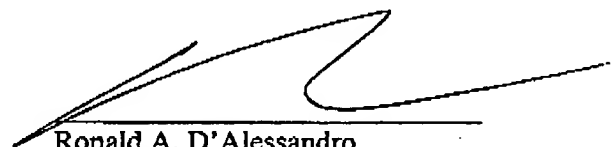
With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

V. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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